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Case 1:08-cv-01214

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FEBRUARY 27, 2008

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

MARCH 4, 2008

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

08 C 1214

HASAN KAMAL KHRIESAT and
HASAN K. KHRIESAT,

Petitioners,

v.

DR. EMILIO T. GONZALEZ Gonzalez, District
Director of The United States Citizenship and
Immigration Services; The United States
Citizenship and Immigration Services;
MICHAEL CHERTOFF Secretary, United States
Department of Homeland Security; and The
United States Department Of Homeland Security,

Defendants.

**JUDGE SHADUR
MAGISTRATE JUDGE NOLAN**

**PETITION FOR
WRIT OF MANDAMUS**

Petitioners Hasan Kamal Khriesat, Applicant No. A95-926-947, and Celia G. Khriesat, Applicant No. A95-926-917, through their attorneys, move for a Writ of Mandamus, ordering the United States Citizenship and Immigration Services to adjudicate their pending I-485 Applications to Register Permanent Resident or Adjust Status, filed with the former U.S. Department of Justice Immigration and Naturalization Service on March 28, 2003. In support, Petitioners state as follows:

1. This matter is brought pursuant to 28 U.S.C. § 1361 in the nature of mandamus, to compel an officer of the U.S. Citizenship and Immigration Services ("USCIS") to perform his or her non-discretionary duty of adjudicating an I-485 Application to Register Permanent Resident or Adjust Status.

2. Petitioner Hasan Kamal Khriesat is a citizen of The Hashemite Kingdom of Jordan.
3. Petitioner Hasan Khriesat is married to Petitioner Celia Garcia-Khriesat. Petitioners are residents of Broadview, Illinois.
4. On March 28, 2003, Petitioners filed their I-485 Applications to Register Permanent Resident or Adjust Status. A copy of the receipt notice for Mr. Khriesat demonstrating the filing of the I-485., Applicant No. A95-926-947 is attached as Exhibit 1.
5. Petitioners have completed all steps required of them in connection with their applications, which have been pending for nearly five years.
6. Petitioners and their attorneys have been inquiring into the status of Plaintiff's I-485 application since at least October, 2005.
7. Defendants have responded to Mr. Khriesat and his attorneys' inquiries by stating only that they are "actively processing this case", and "have to perform additional review on this case" and, therefore, Mr. Khriesat's case was not yet ready for a decision.
8. No further action by Defendants has been taken to adjudicate Plaintiff's I-485 Petition.
9. As a result of Defendants' inaction, Petitioners have faced extreme difficulties when traveling together, they have had to file extra immigration applications, and Mr. Khriesat has been required to limit his employment opportunities to those opportunities which do not require permanent resident status.
10. There exists no legitimate reason for Defendants' failure or refusal to process Plaintiff's petition.

WHEREFORE, Petitioners pray for the entry of an order requiring that their I-485 Application to Register Permanent Resident or to Adjust Status be adjudicated by the U.S.

Citizenship and Immigration Services at once.

Respectfully submitted,

Respectfully submitted,

/s/ Jeffrey Grant Brown

Jeffrey Grant Brown

Attorney for Petitioners

Hasan Khriesat and Celia Khriesat

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